IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3800 OF 2005

IN

CIVIL APPLICATION NO. 1733 OF 2003

IN

FIRST APPEAL NO. 729 OF 2003

Mohammed Sharif M. Hanif ..Applicant
(Ori.Resp.No.1)

versus

Nisar Ahmed M. Hanif & Ors. ..Respondents
(Ori.Appellant &
Ori.Resp. No.2)

Mr. Anilkumar Patil for the Applicant - Original Respondent No.1.

Mr. P. K. Dhakephalkar for the Respondent No.1 - Original Appellant.

CORAM : D. G. DESHPANDE,J.

DATE : 30TH SEPTEMBER,2005

P.C. :

1. Heard.

2. This is an application filed by applicant -

original respondent No.1 for permission to withdraw the amount of Rs.64,880/-, which is deposited in the trial court.

3. Looking to the amount involved and the nature of the claim, Applicant - Original respondent No.1 is permitted to withdraw this amount on furnishing surety to the satisfaction of the trial court. Ad interim order to continue till the appeal is disposed of.

4. Civil Application disposed of.

30.9.2005 (D.G. DESHPANDE, J.)